

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.09 P, Closed Area No. 58-C, North Lubec, promulgated on March 10, 1992, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.09 P, Closed Area No. 58-C, Pirates Creek, North Lubec

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the Town of Lubec, Washington County, inside and westerly of a line drawn from the most northwestern point (Hanna Miller Point, so called) of the peninsula which divides the southwestern end of Johnson Bay northerly to the most southeastern tip of the point making the north side of Pirates Creek, so called (a distance of about one-half mile)

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: July 1, 2002

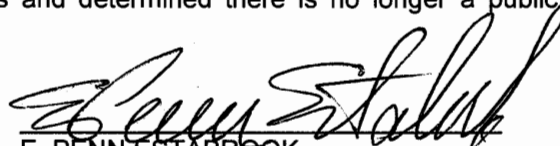
AGENCY CONTACT PERSON: Amy M. Fitzpatrick
Department of Marine Resources
Mckown Point Road
West Boothbay Harbor, Maine 04575

BANGOR DAILY NEWS
July 4, 2002

STATEMENT OF FACT AND POLICY

As authorized by 12 M.R.S.A. Sections 6172 and 6192, the Commissioner of the Maine Department of Marine Resources repeals emergency DMR Regulation 95.09 P, Closed Area No. 58-C, North Lubec, promulgated on March 10, 1992, and replaces it with a new regulation. This new regulation opens the Rogers Island portion to shellfishing.

Department personnel have surveyed and sampled the Rogers Island area, confirmed the removal of several licensed overboard discharges and determined there is no longer a public health threat from shellfish harvested from this area.


E. PENN ESTABROOK
DEPUTY COMMISSIONER



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area 58C

For: Lubec

Pirate Creek 7/1/02

